

**MAYOR AND COUNCIL OF NEW CASTLE  
PUBLIC HEARING  
TOWN HALL – 201 DELAWARE STREET – NEW CASTLE, DE  
TUESDAY, DECEMBER 10, 2002 – 6:40 P.M.**

A Public Hearing was held on December 10, 2002 beginning at 6:30 p.m. at Town Hall located at 201 Delaware Street, New Castle, Delaware for the purpose of discussing an Ordinance on disposition of vacant and deteriorated structures in the City of New Castle.

Mr. Castagno said reason for the Ordinance arose during last Council meeting. Sorry for late arrival of Ordinance not received until 4:00 p.m. on Monday, December 9, 2002.

Mr. Balascio stated that the Ordinance has been complied from three sources:

- A. Smyrna's dangerous building Ordinance.
- B. Townsend's vacant house Ordinance.
- C. City of New Castle Housing Code, Chapter #140, Article 5.

Dr. Miller said she needed time to evaluate. Have concerns about Ordinance. Delay 1<sup>st</sup> reading requested. Area that required attention, Page 6. Concerned about too much power. Tremendous responsibility on building inspector. Also, no protection for citizens. Really wide open. Page 2, Clarification on vacant and dangerous building.

Mr. Balascio said if Council feels comfortable doing 1<sup>st</sup> and 2<sup>nd</sup> reading and can come back and make amendments.

Dr. Miller does not see urgency. Has concerns about this Ordinance.

Mr. DiAngelo said concern was vacant building. This involves so many aspects.

Ned Hutchinson – When did Council members receive this Ordinance.

(ANSWER) – Yesterday, December 9, 2002 or today, December 10, 2002. In favor of the intent of Ordinance but concerned with areas of Ordinance. Asked that the Ordinance be tabled until everyone gets a chance to read Ordinance.

Mr. Balascio said gees, he is being lectured. A lot of hard work has gone into this Ordinance.

Mr. Klingmeyer said not adequately prepared need time to study Ordinance.

Mr. Castagno said do not need to have a Public Hearing on this Ordinance. It is only required for Zoning changes. Council wanted the public's input.

Earl Carpenter asked who in the City is responsible for regulating safety of public buildings.

Jeff Bergstrom said no blanket authority for anyone to inspect all public buildings.

Victor Kasun said need time to evaluate and then get feedback. Have faith and trust in Council.

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Sally Monigle said she is concerned about gradual decay. Page 2, does not address the issue of demolition by neglect. Lost of historical value. Page 5, need to interface with Historic Area Commission to see if building should be demolished.

David June said Historic value, hopefully, not geared to have Bellanca Hanger torn down. Relocate as an option.

Mr. Castagno said this is a Trustee property.

Mr. Balascio said we do have some choices as the situation advances. City can step in as a last resort.

Dr. Miller motioned to go to the Regular Council Meeting. It was seconded by Mr. Reese. Motion passed unanimously.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kate Toner".

Kate Toner  
City Clerk

**MAYOR AND COUNCIL OF NEW CASTLE  
REGULAR MONTHLY COUNCIL MEETING  
TOWN HALL – 201 DELAWARE STREET – NEW CASTLE, DE  
TUESDAY – DECEMBER 10, 2002 – 7:20 P.M.**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**ROLL CALL**

**Present:** Council President Castagno  
Councilman DiAngelo  
Councilman Reese  
Councilman Balascio  
Councilwoman Dr. Miller

**Also Present:** John Klingmeyer, Mayor; Janet Carlin, Treasurer; Robert Martin, City  
Administrator

**APPROVED BY DATE OF COMMITTEE REPORTS**

Police Department Report	November 2002
Building Official Report	November 2002
Finance Department Report	November 2002
Public Works Report	November 2002

Mr. Balascio asked Mr. Bergstrom why there is no number of informal inspections. Need an number to determine what building official requires.

Mr. Reese moved to accept reports as submitted and it was seconded by Dr. Miller. Motion passed unanimously.

**TREASURER'S REPORT**

Treasurer's report read by Janet Carlin, Treasurer.

Mr. Reese moved to approve Treasurer's report as presented. It was seconded by Dr. Miller. Motion passed unanimously.

**APPROVAL OF MINUTES**

Regular Council Meeting – November 12, 2002

Mr. Castagno wants it noted that he was not responsible for the comment about the Fed Ex Box. He was only repeating what he was told.

### **COMMUNICATIONS**

Mr. Balascio said Lutheran Brotherhood has sent another check for \$500.00 for playground equipment in Dobbinsville Park.

Mr. Castagno read a letter from the Buttonwood Restoration Committee written by Eugene Petty is asking that the building permit fees for Buttonwood School be waived.

Mr. Reese – This would create a major problem.

Mr. DiAngelo – Thinks we should waive fees.

Mr. Balascio – If you do it for one non-profit group you must do it for all.  
Big impact on City.

### **BUSINESS FROM THE MAYOR**

Letter from Herb Swanson property, 1206 Wilmington Road, went to court and the City prevailed.

### **BUSINESS FOR THE COUNCIL PRESIDENT**

ASCME nearing close of negotiations. Will discuss issues with Council later.

Kevin Smith said development of vacant lands and deteriorated property will make a proposal to City in the next month or two.

Steve Truitt, Del Dot Engineer, said that the Moore Avenue light project report is forthcoming.

Eugene Petty is being recognized tonight by New Castle County Council for his induction into the National Police Chief Association.

### **BUSINESS FROM THE CITY ADMINISTRATOR**

Trustees of New Castle Common will prepare budget for the fiscal year April 2003 through March 2004. If you are requesting financial assistance must be submitted by January 10, 2003. .

New Castle Police Department recommends they keep the services of C & B Towing and have given the company an excellent recommendation prepared by Lt. Adam Brams.

Financial Status as of November 30, 2002 noting 60.13 of anticipated revenues and expended 41% of the budget. Budget transfer will be presented in January 2003.

### **BUSINESS FROM THE FLOOR**

David June – Minor subdivision for property located at 4<sup>th</sup> & Chestnut Streets.

Jeff Bergstrom – Transfer to two separate owners.

Flo Russell – Subdivision at 4<sup>th</sup> & Chestnut Streets – What kind of subdivision?

Jeff Bergstrom – Transfer to two separate people. Zoned residential.

Flo Russell – Why Ordinance for vacant and deteriorated structures? Who proposed this?

Mr. Balasico – Purposed by residents.

Mr. Castagno – Discussed in October.

Mr. Reese – Policy for taking down a building was to cumbersome.

Flo Russell – Property Maintenance Code – When are we to hire the person for building inspector? Why wasn't this done before?

Dr. Miller – Takes to long of a time to get to the problems. No a quick fix.

Skip Wample – Deteriorating structures, are there any provision in County Code to cover.

Mr. Balascio – When we go forward this will help City in court.

Skip Wample – Once property is condemned it still takes a year.

Mr. Balascio – Cannot board up and left to stand until it is started. It should go to a final conclusion.

David June – Landlord building – Absentee owner in a vacant building.

### **OPENING OF BIDS FOR VEHICLE TOWING**

C & B Towing – Only proposal.

Mr. Martin explained charges to Council and public

Mr. DiAngelo – Good price and good service.

Mr. Castagno – At least call one other company.

Mr. Reese – C & B Towing is extremely amiable.

Mr. Reese moved to accept the bid as submitted by C & B Towing. It was seconded by Mr. DiAneglo. Motion passed unanimously.

### **UNFINISHED BUSINESS**

None.

### **NEW BUSINESS**

**1<sup>st</sup> and 2<sup>nd</sup> reading of Ordinance #418 on disposition of vacant and deteriorated structures I the City of New Castle.**

Mr. Balascio motioned to table Ordinance #418. It was seconded by Mr. Reese. Motion passed unanimously.

**Resolution honoring Charles Fleetwood's twenty years of service to the City of New Castle.**

Mr. DiAngelo read Resolution 2002-19.

Mr. DiAngelo motioned to pass Resolution 2002-19. It was seconded by Mr. Reese. Motion passed unanimously.

**"No Parking" sign in area of Route #273 and Route #9 at Carrie Downie School.**

Truck parking in front of Carrie Downie School but this is State property.

Dr. Miller motioned to contact State for no parking. It was seconded by Mr. Reese. Motion passed unanimously.

Mr. Reese would also like some barricade so vehicle cannot race down side of road to make the turn.

**Introduction of draft for Comprehensive Plan. Comprehensive Plan available at City Office, Library, or on line.**

Kise, Straw, and Kolander – In next 30 days to contact them directly.

Task Force will met on January 14, 2003.

**Resolution #2002-18 approving encroachment of a dwelling located at 511 Delaware Street.**

Mr. Reese motioned to approve Resolution #2002-18. It was seconded by Dr. Miller. Motion passed unanimously.

**Bank Resolution in amount of \$28,437.75 payable to E. Earle Downing, Inc. for Contract #2002-02. City Wide Paving Estimated #1.**

Dr. Miller motioned to approve Bank Resolution Contract #2002-02. It was seconded by Mr. Reese. Motion passed unanimously.

Appointment and re-appointment of Election Committee including Chairperson, Absentee Clerk, and other Committee member.

Mayor John Klingmeyer nominated Victor Kasun.

Council President Mr. Castagno nominated Beverly Powell-Ross for Chairwoman.

Councilman Mr. DiAngelo nominated Grace Elaine Hayford.

Councilwoman Dr. Miller nominated Tom Maddux.

Councilman Mr. Reese nominated Jean Swanson.

Councilman Mr. Balascio nominated Vera Worthy.

**Authorization for Mayor to sign \$50,000.00 FY 2003 Housing and Community Development Grant Proposal (CDBG) for sidewalks on Meehan Avenue.**

Dr. Miller authorized Mayor to sign Grand Proposal. It was seconded by Mr. Reese. Motion passed unanimously.

**Discussion of City Signs – May or June to be installed and electrified.**

**Resolution #2002-20 approving a Minor Subdivision for property located at 4<sup>th</sup> & Chestnut Streets.**

Mr. Castagno read Resolution #2002-20.

Mr. Reese approved Resolution #2002-20 approving a Minor Subdivision for property located at 4<sup>th</sup> & Chestnut Streets. It was seconded by Mr. DiAngelo. Motion passed unanimously.

**Bank Resolution in amount of \$39,302.00 payable to Daystar sills for work on Decel Lane at Municipal Boulevard.**

Dr. Miller motioned to approve Bank Resolution. It was second by Mr. Reese. Motion passed unanimously.

**COMMENTS FROM THE FLOOR**

Earl Carpenter – Improve PA system. Cannot hear a large part of discussion.

Victor Kasun – Status of whistle noise at Zenith Industrial Park along river.

Jeff Bergstrom – Engineer evaluated noise.

Zenith says they will fix the problem

Jeff Bergstrom – Will cost company many thousand dollars.

Eugene Petty – Buttonwood Civic Association and Restoration Committee – Need \$150,000 to get Grant. Waive the permit fee of \$8,000.00.

Mr. DiAngelo – Sidewalk on 4<sup>th</sup> Street. Between Jeff Bergstrom and Debbie Pulliam for getting job done.

Earl Carpenter – Commend City and Police for high visibility of police and speed enforcement.

Skip Wample – How is Greenway progressing.

Mr. Martin – City is working with Greenway. Century Engineering doing design work. When a plan has been developed there will be a Public Meeting.

Mr. Reese motioned to adjourn to the Executive Session. It was seconded by Dr. Miller. Motion passed unanimously.

Respectfully submitted,



Kate Toner  
City Clerk